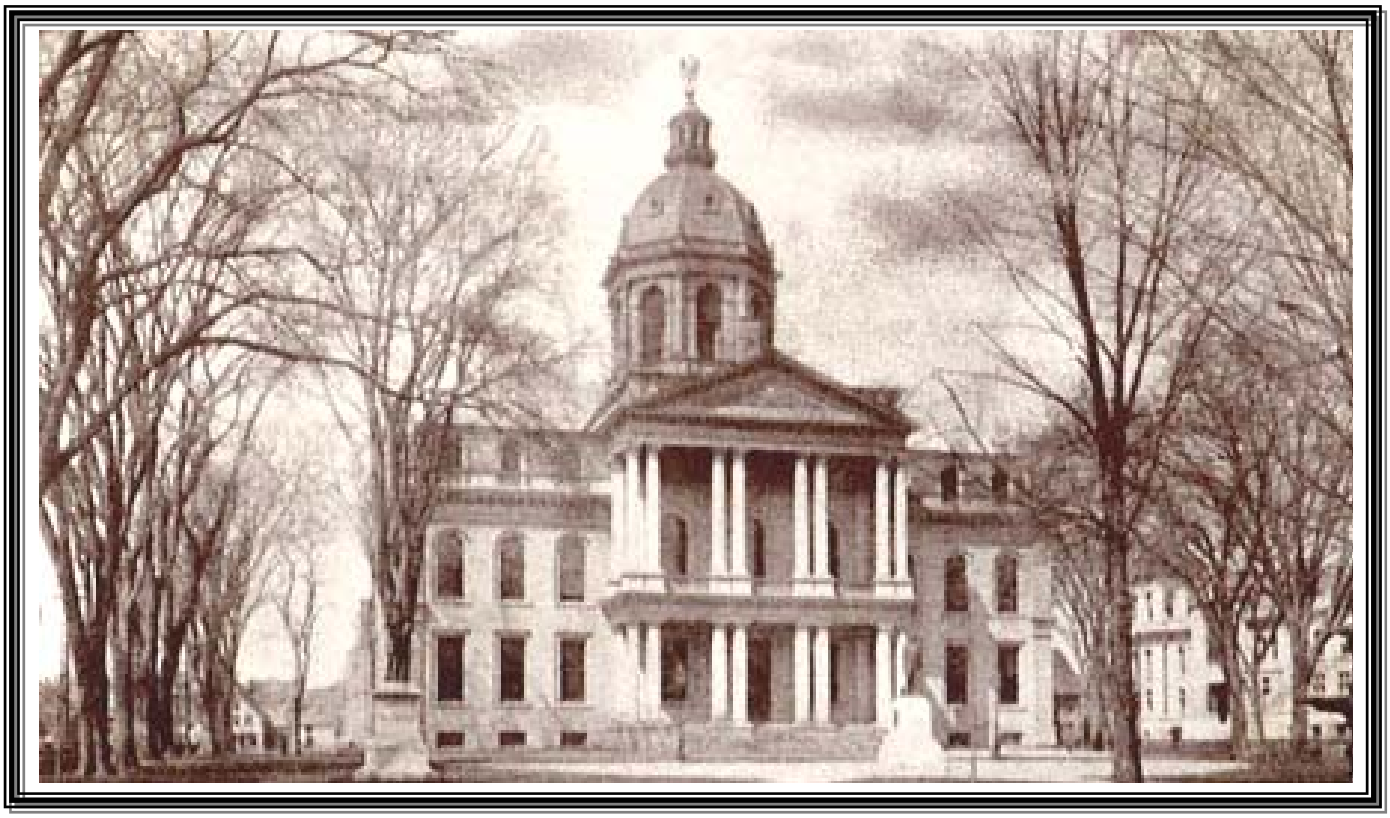
The State of New Hampshire

Hazard Mitigation Grant Program

Application Guidance Handbook



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Appendices:

Cover: The New Hampshire State Capitol Building

The NH State Capitol Building is the home of the oldest continuously occupied legislative chambers in the United States. These legislative chambers have served the State since 1806.

Following the English Parliament and the United States Congress, the New Hampshire State Legislature is the 3rd largest legislative body in the English-speaking world.

The NH Office of Energy & Planning estimates the year 2000 NH population at **1,228,797.**

With 25 Senators and 400 Representatives, New Hampshire has the highest representational legislature per capita in the world **!**

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INTRODUCTION

Hazard Mitigation, along with **Preparedness, Response** and **Recovery** form the four cornerstones of the Federal Emergency Management Agency's (FEMA) emergency management structure. One of FEMA's "tools" for carrying out Hazard Mitigation is the Hazard Mitigation Grant Program (HMGP): a federally funded, State-administrated program that assists in the development and implementation of qualified Hazard Mitigation projects.

Hazard Mitigation is defined as **any action taken that is intended to reduce losses from future natural and/or man-made disasters**. The HMGP is designed to address these, and repetitive losses specifically. "Repetitive loss" refers to losses associated with loss of life, injury and/or property damage where the loss results in personal suffering, and/or in local, state, and/or federal government expenditures for disaster response, and recovery operations.

Upon a Presidential Declaration of Disaster, the State is authorized up to 60 days to apply for additional funding under the HMGP. This funding may be as much as (and usually equals) 7.5% of (i.e., in addition to) the total disaster relief associated with the Declaration. The State becomes the "Grantee" of the HMGP funds and the Applicants are referred to as "Sub-grantees."

The Governor's Authorized Representative (GAR) serves as the grant administrator for all funds provided under the HMGP, as well as funds authorized under other Disaster Response and Hazard Mitigation programs. While the Governor's Authorized Representative has signatory authority for all disaster assistance programs, it is the State Hazard Mitigation Officer (SHMO) who manages Hazard Mitigation related programs. The State's Inter-Agency Hazard Mitigation Team reviews all HMGP applications and prioritizes them in accordance with the State's All Hazard Mitigation ("409") Plan.

The key responsibility of the State is to administer and manage the HMGP and the funds available under this program. The State is also responsible for soliciting and reviewing HMGP proposals from applicants, and for preparing and submitting the applications to FEMA in accordance with procedures set forth in the State Hazard Mitigation Administration Plan. Eligible HMGP Applicants include: State and local government, certain not for profit corporations and Native American and Alaskan tribes.

Although the State is responsible for submitting the Hazard Mitigation Grant Program applications to FEMA, the State will rely on the Subgrantee to submit a complete project application package that can be reviewed by the State Hazard Mitigation Team and forwarded to FEMA by the State Hazard Mitigation Officer. This handbook provides guidance that will assist applicants in identifying good Hazard Mitigation alternatives and in developing an acceptable application for HMGP funding.

Hazard Mitigation at the State level is complex, as such activities are often the primary or secondary responsibility of a number of different government departments / entities, such as Planning, Transportation, Public Utilities, Emergency Medical Care, Natural Resources, Environmental Protection, Forestry, Coastal Management, Economic Development, Historical/Archeological Preservation, Fish and Wildlife etc.

At the local level, Hazard Mitigation may be the responsibility of the Departments of Community Development, Planning, Zoning, Code Enforcement, Public Health, Police, Fire and Rescue, Public Works etc. and may involve community action committees and/or commercial interests. A critical element of successful Hazard Mitigation Planning and project identification and implementation is the involvement of key Federal and State agencies, local units of government and other public or private organizations with hazard identification and the proposal of alternative solutions.

Hazard Mitigation Grant Program Overview

44 CFR: Subpart N. (See Appendix VII.)

Minimum Project Criteria

Projects must:

Conform with the State's "409" Plan Goals

Have a beneficial impact on the Declared area

Conform with:

NFIP Floodplain Regulations

Wetlands Protection Regulations

All Environmental Regulations

Historical Protection Regulations

Be cost effective and substantially reduce the risk of future damage

Not cost more than the anticipated value of the reduction of both direct damages and subsequent negative impacts to the area if future disasters were to occur i.e., min 1:1 benefit/cost ratio

(Both costs and benefits are to be computed on a "net present value" basis)

Have been determined to be the most practical, effective and environmentally sound alternative after a consideration of a range of options

Contribute to a long-term solution to the problem it is intended to address

Consider long-term changes and has manageable future maintenance and modification requirements

Eligible Projects ***may be of any nature that will result in the protection to public or private property and include:***

Structural hazard control or protection projects

Construction activities that will result in protection from hazards

Retrofitting of facilities

Certain property acquisitions or relocations

Development of State and local mitigation standards

Development of comprehensive hazard mitigation programs with implementation as an essential component

Development or improvement of warning systems

State of New Hampshire

Overall Hazard Mitigation Goals

1. To improve upon the protection of the general population, the citizens of the State and guests, from all natural and man-made hazards.
2. To reduce the potential impact of natural and man-made disasters on the State's Critical Support Services.
3. To reduce the potential impact of natural and man-made disasters on Critical Facilities in the State.
4. To reduce the potential impact of natural and man-made disasters on the State's infrastructure.
5. To improve Emergency Preparedness.
6. Improve the State's Disaster Response and Recovery Capability.
7. To reduce the potential impact of natural and man-made disasters on private property.
8. To reduce the potential impact of natural and man-made disasters on the State's economy.
9. To reduce the potential impact of natural and man-made disasters on the State's natural environment.
10. To reduce the State's liability with respect to natural and man-made hazards generally.
11. To reduce the potential impact of natural and man-made disasters on the State's specific historic treasures and interests as well as other tangible and intangible characteristics which add to the quality of life of the citizens and guests of the State.
12. To identify, introduce and implement cost effective Hazard Mitigation measures so as to accomplish the State's Goals and Objectives and to raise the awareness of, and acceptance of Hazard Mitigation opportunities generally

Eligible Subgrantees include:

- **State and Local governments,**
- **Certain Not for Profit Corporations**
- **Indian Tribes or authorized tribal organizations**
- **Alaskan corporations not privately owned.**

The information below is presented in numbered Sections that coincide with the numbered Sections of the Project Application (See Appendix I.).

1. General Project Information

A. Federal Emergency Management Agency Disaster Code

Each time the President declares a specific area a " Disaster," a special code is given to distinguish it from other disasters. This code may be found on the Notice of Interest letter sent to each community or may be obtained by calling the NH Bureau of Emergency Management (NHBEM) at 800 952-3792. The FEMA code follows the format of: FEMA- _____ -DR-____ where the blanks represent the given disaster number and state respectively (i.e., FEMA - 1305 - DR - NH).

B. Declaration Date

Every Federal Disaster is given a declaration date. This date may also be obtained as per the Notice of Interest letter or by calling NHBEM. Some of the deadlines associated with HMGP funding are linked to this date e.g., the State has as much as 18 months (normally) to submit all qualifying applications to FEMA for funding.

C. Date Submitted

This entry refers to the date the application is submitted to the New Hampshire Bureau of Emergency Management office.

2. Name of Subgrantee

Give the Applicant' s name and indicate whether the Applicant is a town, county, or city; state agency; eligible private non-profit organization or institution; or Indian Tribe. (For " Eligibility" information See Appendix V., 44 CFR, Subpart N, Section 206:434).

3. State or Local Contact for the Project

Give the name, title and mailing address of the person who will be responsible for tracking, documenting and managing the project or the person who will be responsible for keeping track of the paper trail. For persons not normally near a telephone, such as a Superintendent of Roads, a secondary contact or number should be given where messages can be relayed to the primary contact. If possible, evening numbers should also be listed. If those responsible are part-time, such as a member of the Board of Selectmen, then daytime work numbers should be listed as well.

Please list contact information for an appropriate secondary responsible party in the event that the primary contact person is away from the job for an extended period of time.

4. Location of the Project

A. Description of Project Location

Describe the location of the project by street address, road intersections, geographic landmarks, legal description, or other methods, if appropriate. Make the description as simple and clear as possible to assist application reviewers – not familiar with your community - in finding the location.

B. Local General Highway Map

Maps greatly improve a project application. At a minimum, include an 8 ½ " x 11" copy of the latest State Highway Map or more detailed map of the applicant's town if available. An example of this type of map is shown in Figure 1.

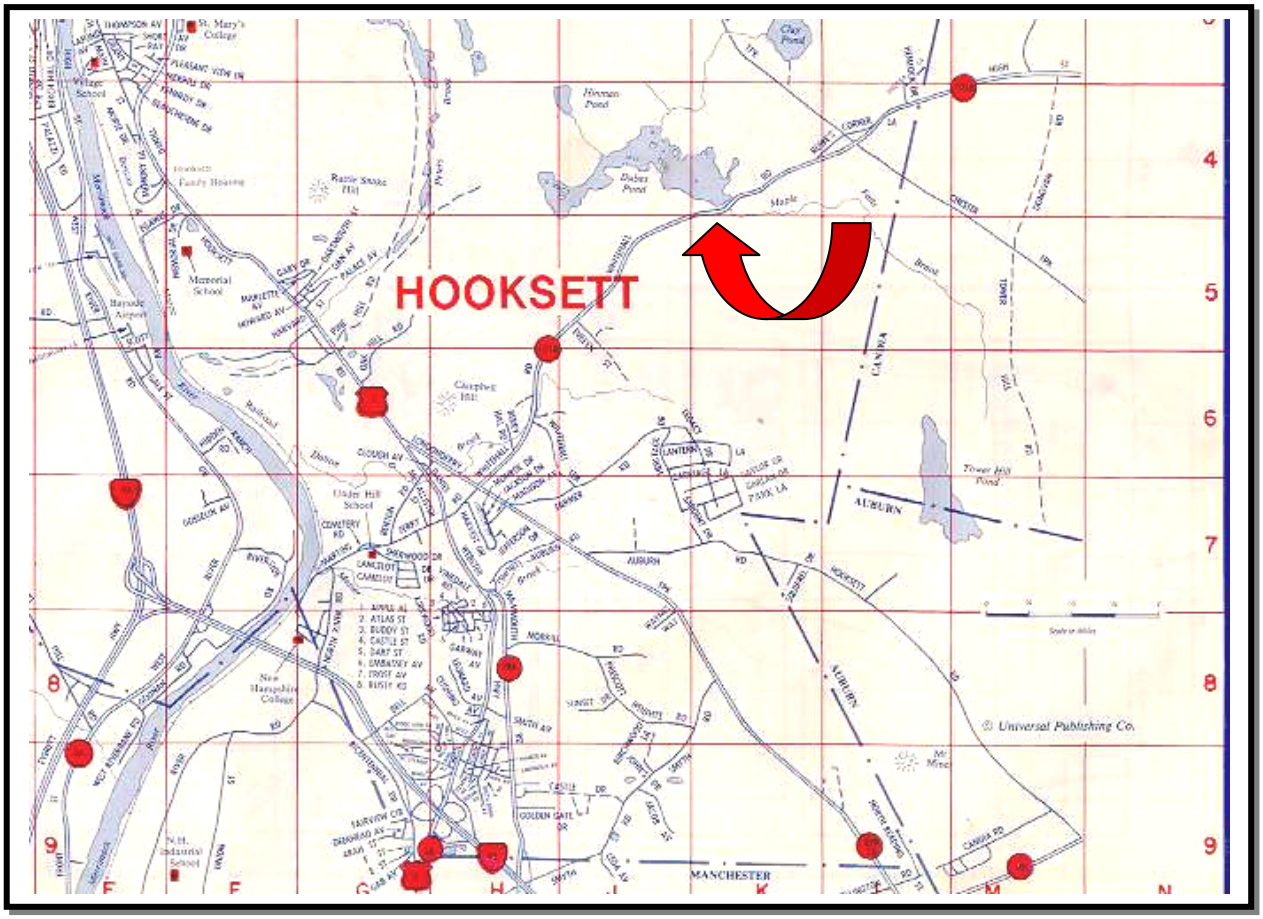

Figure 1: Example of a local highway map

C. Indication Arrows

In order to assist the application reviewers in finding the location of the project, some indicator such as an arrow must point to the area under consideration. The arrow should be of heavy weight and dark enough to be quickly noticed. **Remember, color does not reproduce when photocopied, therefore use different line types and weights to distinguish markings. Fluorescent hi-lighters will not photocopy as well, so avoid using these types of markers.** The arrows can be hand drawn or copied, cut, and pasted into place. A brief title or description may accompany the indicating arrow. Many examples of acceptable arrows can be seen on all of the example maps.

D. Flood Insurance Rate Map

A local Flood Insurance Rate Map (FIRM) showing all the areas that may be impacted by the project is another map that is required by FEMA for all physical projects. These maps are available at all town offices or at the Office of Energy and Planning 271-2155 The map should include an arrow pointing to the project location. Copy, cut and paste the panel title page onto the final copy. An example of a FIRM is shown in Figure 2.

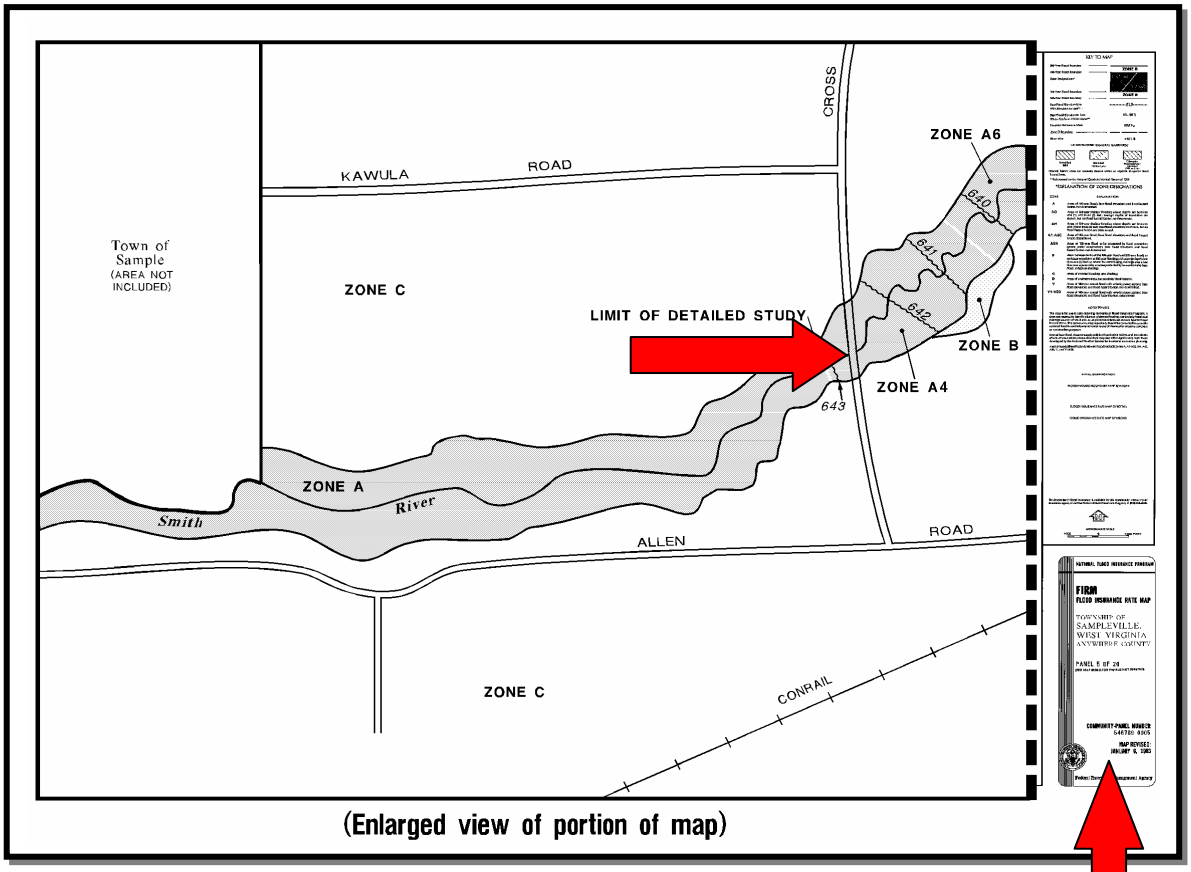

Figure 2: Example of a Flood Insurance Rate Map.

E. Topographic Map

Another map that can improve an application is a topographic map. A photocopy of the local U.S. Geological Survey Topographic Map of the area of interest should accompany the application. The topographic map aids with the determination of the contributing drainage area. If the proposed project concerns the drainage area

(such as the enlarging of a culvert) a topographic map should be included. Otherwise, this map is optional. An arrow pointing to the project location should appear on the map. Copy, cut and paste the map name and scale onto the final copy. An example of a topographic map is shown in Figure 3.

Please include the Map Title and Scale information with any photocopy of any Topographic Map(s)

USGS Topographic Map

Lancaster Quadrangle
No. : xxxxxx
Scale : 1:24,000

Figure 3: Example of a U.S. Geological Survey Topographic Map.

(Not to Scale – modified for this publication)

5. The Problem Statement

This section of the application is designed to explain to the reviewer what has happened or may soon happen if corrective measures are not undertaken to improve the situation. The idea is to state the problem and begin thinking of possible solutions. This **very brief statement** should cover the following attributes (topics): **time frame, or frequency of occurrence, general damage and expected future damage**. Note: The solution is not mentioned in this paragraph. A couple of examples of problem statements follow:

Example 1:

Since 1970, the riverbank has eroded approximately 68 feet to the present position only 12 feet from the edge of the roadway. Erosion of the bank continues with each storm event. If no action is taken, the road and several dwellings will soon be lost.

Example 2:

Frequent overtopping of the culvert and roadway (six times since 1994), forces water and debris into the houses immediately downstream of the road crossing. The water and debris damage the privately owned property and buildings almost annually.

6. The Project Objective

The objective should explain what the project would accomplish in 25 words or less if possible. The objective should be direct and to the point and **should not include solutions or alternatives.** Flood Hazard Mitigation projects should state the minimum level of protection the project is intended to achieve Examples are:

Example 1:

The purpose of this project is to eliminate bank erosion for floods of less than 50-year events and reduce erosion for all other events.

Example 2:

The objective of this project is to prevent future flooding of the three houses and yards downstream of town highway #27 for less than the 25-year event.

Example 3:

The objective of this project is to increase the structural integrity of the roof of the Fire Station so as to be able to withstand wind gusts of up to 150 mph.

Example 4:

The objective of this project is to increase the structural integrity of the dam so as to bring it into conformity with the National Seismic Standards for this type of structure.

7. List of Alternative Solutions

A list of possible alternative solutions should follow the project objective. The alternatives should all accomplish the stated project objective. Suggestions of possible solutions include enlarge a culvert opening, change the alignment, improve or add erosion control, move or raise a building, flood-proof a structure, or provide storm water detention. Alternatives do not have to be complete new concepts; they can be variations on a theme.

For example, an alternative to using riprap might be simply using plantings to secure a stream bank. The expected life of the alternative should also be stated*** (See Table on page 14.).** The life of the alternative will be used later in determining the total estimated project benefits A minimum of two alternative solutions, plus the "do nothing" alternative, must be included in the application. Do not discuss the possible impacts, costs or political feasibility of the alternatives here. Simply define the possible solutions. A list of possible alternative solutions in no particular order for each of the preceding problem examples follows:

Example 1:

Alternative 1: Acquire right-of-way to move the roadway and allow erosion to continue. Also move the nearby dwellings, public and private utilities and provide new access roads to the houses. Design life in excess of 50 years.

Alternative 2: Install riprap for 1000 yards along the west riverbank from Maple Street southward to protect against the 50-year flood. (NOTE: Riprap must be dressed up about every 5 years).

Alternative 3: Install gabion baskets along the riverbank to protect against the 50-year flood. (NOTE: Gabions have a design life of about 25 years).

Alternative 4: Do nothing.

Example 2:

Alternative 1: Raise the three houses located downstream of the culvert to protect against the 25-year flood. Design life in excess of 50 years.

Alternative 2: Raise the road by 2 feet. for 500 yards to allow for flood water detention and control the flow downstream for a 25-year flow. Design life 25 years.

Alternative 3: Enlarge the existing 18" culvert to 24" to accommodate the 25-year flood and eliminate the backwater effect. Design life of the culvert is 25 years.

Alternative 4: Do nothing.

Typical Design Life Values	
Type of Installation	**Years**
Steel Culvert	25 years
Riprap**	50 years
Concrete	50 years
Elevate a building	100 years
Relocate a building	100 years

***** Riprap may require occasional "dressing-up" or maintenance during its useful life.***

It is important that you consult with a professional or expert. For each alternative it is advisable to consult with the local District Highway Engineer, the local Stream Alteration Engineer, a Consulting Engineer, an Army Corps of Engineers Representative, an Environmental Protection Agency Representative, a Natural Resources Conservation Service Representative, a Cold Regions Research Engineering Lab Representative, or any other source of technical expertise related to the proposed project for preliminary technical design feasibility. Once the preferred alternative is chosen, the person or persons consulted will be asked to confirm that the project design is feasible, meets state requirements, and will effectively solve the problem

8. Analyzing the Alternatives for Environmental Impacts, Physical Limitations, Effectiveness, and Cost

The purpose of this section is to screen each of the alternatives for feasibility considering environmental impacts, physical limitations, effectiveness, and cost. *Included with this booklet is an Impact Questionnaire (Appendix III).* This questionnaire asks a series of questions to aid with the screening of alternatives for feasibility. These questions cover many categories and may be answered by checking the appropriate **yes**, **no** or **not applicable** column. Use the HMGP Minimum Criteria Checklist tin Appendix IV. to determine the " bottom line" as to the eligibility of each alternative.

Photocopies of the questionnaire may be used to screen each of the alternatives. **This questionnaire is for your benefit only** and may be included with the application at your discretion.

If an alternative does have an impact or limitation, a narrative should be included in the application to explain the situation. The application reviewers will decide if the impact is great enough to exclude this alternative.

Selection of a Preferred Alternative

At this point, one of the alternative solutions should appear to be the most feasible for mitigating the problem. This alternative can now be selected as the course of action to be taken to remedy the problem. The process of answering the previous questions about each alternative and the project benefit / cost analysis should have helped you to clearly define why one alternative is preferred over another.

For the chosen alternative, prepare a brief narrative statement explaining why it is preferred. Use the Impact Questionnaire (Appendix III.) as a guideline or check sheet for your thoughts. Remember, this alternative is *your* preferred alternative. Ultimately, a FEMA Mitigation Specialist will choose the alternative to be funded and it may or may not be the alternative that you prefer.

The total estimated project cost, and a breakdown of that cost, including the categories in the list below, should also be indicated in this section. These categories include:

- Federal Share (HMGP funds requested);
- Applicant Share;
- State Share;
- In-Kind Services;
- Other Federal Funds; and
- Other Non-Federal Share.

All approved projects will receive up to 75% of the Total Project Cost from the Federal government under the Hazard Mitigation Grant Program. The remaining 25% (or all other non-FEMA contributions) must be provided by the applicant either through the Applicants budget, other State or Federal grants, other non-Federal grants, In-kind services or a combination of these sources. **NOTE: CDBG funds are the only Federal origin funds that can be used as a match for HMGP funds in New Hampshire (Bureau of Indian Affairs or BIA funding may qualify for a match. BIA lists no Tribal Organizations in New Hampshire).**

9. Statement of Damages

The statement of damages section of the application is an itemized list of specific damages. Damages can be divided into two categories: direct and indirect.

Examples of direct damages include: amount of damage to homes and public buildings, approximate amount of area damaged (acres), amount and extent of debris deposited; type of debris such as sand, gravel or trees; feet of roadway lost, yards of fill lost, crops or farmland lost, and personal property or belongings lost or damaged.
A dollar amount should be assessed to all of the direct damages. It may be possible to assign dollar values to documentable indirect damages. In any case, a list of indirect damages is still needed to illustrate the importance of the project.
Indirect damages may include: hardship, loss of access to homes and private property, loss of access to public buildings and businesses, and reduction in public health.
Indirect damages which are documentable include: additional miles traveled due to re-routing or detouring, loss of hourly wages or salary, unnecessary rental of temporary housing, business or office space, and equipment and the cost of re-seeding, re-fertilizing, etc. of crops, farmland or private and public property.

A detailed list of all the damages with dollar amounts - where appropriate - will be helpful later in the application. This list will become the basis for determining avoided costs or future benefits in Section 11 of this manual.

A helpful feature in this portion of the application is the use of pictures of the direct damages or affected areas. Pictures help the reviewers visualize the site location and the extent of the damage. Pictures also help recreate the location if a site-visit is necessary. A brief caption should accompany each picture. Examples of typical pictures are shown in Figures 4 and 5.

Example 1:

Figure 4: Picture of town culvert #27. Water overtopped the roadway and flooded homes which are located downstream of the culvert.

Example 2:

Figure 5: Picture of the problem area. Notice the debris on the roadway and the damage to the guardrails. Dwellings exist upstream on the opposite side of the roadway.

10. Project Work Schedule

A project work schedule should be provided that summarizes, at a minimum, the start date, project milestones, and completion date. If the project is quite detailed, it may be helpful to separate the activities into phases and list tasks within those phases.

If there is any maintenance required over the life of the project, a maintenance schedule should also be submitted. To have the preferred alternative funded, the applicant must demonstrate that future maintenance will be easier and less costly **and will become a regular budgeted expense of the Applicant.**

The project work schedule should be provided in a table, chart, or graph format. The table should include a start time, title or description of the activity or phase, and a finish time. A simple table is shown below.

Example 1:

Task Description	Start Time	Finish Time
Site preparation	July 15, 1999	July 19, 1999
Culvert acquisition	July 19, 1999	July 19, 1999
Culvert installation	July 22, 1999	July 22, 1999
Haul gravel to site	July 23, 1999	July 23, 1999
Replace pavement	July 24, 1999	July 24, 1999
Clean-up site and establish vegetation cover	July 25, 1999	July 25, 1999

Another way that a project work schedule can be completed is by using a chart or graph format. Example 2 shown below illustrates a typical bar graph work schedule. The letters down the side correspond to different project activities or phases. The numbers across the top relate to some time frame that could be **days, weeks, phases or months.** Construct a work schedule by writing in a brief title or description under the activities column, writing in a time frame across the top of the graph, and drawing horizontal lines with a marker to correspond to the start and end times.

Example 2:

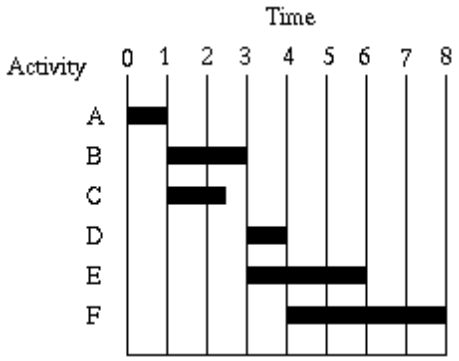

Figure 6: Example of a work schedule bar graph.

11. Project Cost Estimates

The project cost estimate should be as accurate as possible. ***The application should include a detailed itemized list of all of the expected costs for all of the alternatives***. If a private contractor will be doing all or a part of the work, submit a copy of the bid document and prices if available. If possible and appropriate, costs for all of the following services should be included:

- Project Management
- Comprehensive Study
- Engineering and Design
- Site Acquisition
- Construction
- Labor
- Equipment
- Staffing
- Transportation
- Materials / Supplies

The total estimated project cost should also be indicated. A breakdown of that cost will be required later in Section 11. of the application

Project Benefit Estimates

Project benefits are directly related to the Statement of Damages (Section 11) of the application. A benefit is any of those damages, direct or indirect, which will be avoided or eliminated if mitigation measures are taken.

Make a table of both project direct and indirect benefits for all of the alternatives Give a brief topical title and dollar amount to each if possible. The project benefits may or may not vary between alternatives. Refer to your list of damages (Section 11) as you now try to associate dollar amounts with mitigation benefits. Include all past damages, the frequency of those damages, annual repair costs avoided, estimates of future losses etc.

Direct mitigation benefits include: the value of private and public property losses, the value of lost materials such as fill or culverts, or lost services such as electricity or telephone.

Indirect benefits are those benefits for which a dollar amount is difficult to assess. For example: the use of a road or bridge, access to homes or public buildings or access to tourist attractions. All of these affect the local community whether it is hardship, or loss of income to local businesses. Forcing emergency vehicles to travel longer distances to reach certain homes or businesses could be construed as being a community hardship.

With respect to indirect benefits consider such things as:

- Your non-ambulatory populations as may be found in nursing homes, and the homebound, the physically challenged etc.
- " Institutionalized" populations such as: school children, inhabitants of adult care facilities and incarcerated persons.
- Access of emergency vehicles and all routes.
- The impact on Critical Services.
- The impact on the local and regional economy including tourism etc.
- Time lost at work, productivity, wages etc.
- Down time of such facilities as schools and municipal services
- Agricultural, aquacultural, sport fishing, forestry, sugarbush and other related resources
- The denial of the use of ports, airports, rail services etc.

Benefit / Cost Analysis

The cost effectiveness of a project is demonstrated by means of a benefit / cost ratio (B/C Ratio). In order for your project to qualify for HMGP funding, this ratio must always equal or be greater than one i.e., a B/C of 1:1+.

B/C Ratio also explains how the cost of the project compares with the Anticipated Value of Future Damage Reduction. Projects with higher B/C Ratios will normally be funded before projects with lower B/C Ratios.

The total project cost is the sum of the FEMA share and the Applicant share. Since you have already calculated the total project costs and benefits for each alternative, it will be relatively easy to calculate the B/C ratio for each of the alternatives as well.

Example 1:

On an unpaved road in town, a culvert has been lost three times in the last 11 years:

Mo/Year	Description of Work	Cost
Apr 1987	Retrieve/install culvert and re-establish road	$5,400.00
Oct 1996	Retrieve/install culvert and re-establish road	$4,800.00
Jun 1998	Retrieve/install culvert and re-establish road	$4,800.00
Total Damages of Record		**$15,000.00**

If the desired Project is to harden the site (i.e., riprap, Install a headwall etc.) and the **Total Project Cost is projected at $50,000.00**, and the Expected Life of the Project is 50 years:

Annualized Damages: $15,000.00 (Total damages) ÷ 11 (Years of record) = $1363.00/yr.
Anticipated Damages over Design Life: $1,363.00 x 50 years = $68,250.00 Total Damage.
Cost of the Preferred Alternative: $50,000.00
Benefit to Cost Ratio: 68,250.00 (Anticipated loss) ÷ $50,000.00 (Project Cost)
= B/C of 1.365.

15. Authorization

The purpose of this section is to assure the application reviewers that the application was reviewed by an officer with authority to enter into contracts on behalf of the Subgrantee (i.e., the city, town, state agency, tribe or not for profit corporation).

16. Technical Confirmation

Most culvert projects will require technical review / endorsement by the local District Highway Engineer. Riprapping and other stream alterations may require the assistance of a stream alteration engineer. Other sources of technical expertise include a Consulting Engineer, an Army Corps of Engineers Representative, an Environmental Protection Agency Representative, a Natural Resources Conservation Service Representatives, or a Cold Regions Research Engineering Lab Representative. The application reviewers need to be assured that the project design is feasible, meets required state standards, and will effectively solve the problem. This information can lead to more accurate project cost estimates. Failure to submit the required technical review confirmation may delay consideration of the application and jeopardize project funding.

Application Processing, Approval, and Quarterly Reporting

After the State Hazard Mitigation Team recommends and prioritizes an application, the SHMO forwards it to FEMA. On average, this will most likely occur within 90 days of submittal. FEMA will assign a Hazard Mitigation Specialist to review the application and verify the Benefit / Cost and other HMGP parameters. If the application involves a physical project, the FEMA Specialist will visit the site and may elect to confer with the primary contact. The FEMA Specialist will then refer the application to the Region I Environmental Review Officer for a National Environmental Policy Act (NEPA) review.

If all of the answers to the Environmental Review questions are "No" (See *Appendix IV* page 2), then the recommended alternative may qualify for a Finding Of No Significant Impact and therefore, a NEPA CATegorical EXclusion (CATEX). If some of the answers are "Yes", then greater detail regarding that topic may be needed to determine if the project may still qualify for a FONSI / CATEX.

If the recommended alternative receives mostly "Yes" answers, then an Environmental Assessment (EA) or an Environmental Impact Statement (EIS) may be required. If the alternative requires an EA, then the project approval will require a longer amount of time.

Should an EA or an EIS be called for, the project may be delayed for many months and perhaps, in the case of an EIS, it could be delayed for a year or more. A project requiring an EIS is not as likely to be recommended for funding.

For these reasons, the Applicant / Subgrantee ***MUST NOT*** begin the project prior to receiving WRITTEN confirmation from FEMA that the FEMA share of the project funding is in place.

The Subgrantee will be required to submit a Quarterly Report to the SHMO at three-month intervals beginning with the date of FEMA funding approval (See *Appendix IV*).

LETTER OF INTENT

HAZARD MITIGATION GRANT PROGRAM
PRESIDENTIAL DISASTER DECLARATION (FEMA-XXX-DR-NH)

The purpose of this form is to establish your agency's interest in the Hazard Mitigation Grant Program and to identify projects that are a priority for your jurisdiction to reduce or eliminate future emergency or disaster costs. ***(This is NOT the Public Assistance permanent repair and restoration program).***

NAME/ADDRESS OF JURISDICTION:

CONTACT PERSON: _____ PHONE #: (___)

BASIS OF ELIGIBILITY:

_____ State Government
_____ Special Purpose District
_____ Indian Tribe
_____ Local Government
_____ Private Non-Profit Organization
_____ Other

PROJECT PROPOSED BY JURISDICTION:

Please include a brief project 1) description, 2) identification of benefits, 3) estimation of cost, and 4) source of local share. ***PLEASE do not include projects that were covered under the Public Assistance permanent repair and restoration section of the Disaster Relief Act.***

Cost of Project: $

Estimated Benefit: $

(This can include previous damages, future damages mitigated, property value)

Life of Project: _____ years

Source of Local Share: _____ **(at least 25% of estimated costs)**

Please answer the following yes/no questions to determine if your project will be eligible for consideration for a Hazard Mitigation Grant:

Does the project:

		Yes	No
1)	Substantially reduce the risk of future damage, hardship, or suffering from a hazard;	_____	_____
2)	Address a problem that is repetitive or that poses a significant risk if left unsolved;	_____	_____
3)	Contribute substantially to a long term solution;	_____	_____
4)	Provide cost-effective protection over the expected project life;	_____	_____
5)	Conform with federal and state environmental regulations;	_____	_____
6)	Have manageable future maintenance requirements;	_____	_____
7)	Reflect the most practical, effective, and environmentally sound solution from among all alternatives considered;	_____	_____

If you have answered No to any of the above questions, your project may not be eligible for a Hazard Mitigation Grant.

PLEASE RETURN THIS FORM BY TO:

Richard Verville
Hazard Mitigation Program Coordinator
Bureau of Emergency Management
33 Hazen Drive
Concord, New Hampshire 03305

This is NOT an application. You will be contacted and sent an application at a later date. If you have any questions, please contact Richard Verville at (603) 271-2231/1-800-852-3792.

State of New Hampshire
Hazard Mitigation Grant Program
Project Application

Please submit three complete copies (typed or written in ink).

1. FEMA Disaster Code: FEMA-_____-DR-NH
   Declaration Date: _____
   Date submitted: _____

2. **Name of Sub-grantee**:

3. ***State or Local Contacts (2) for the Project:***
   Name of Contact: 1._____ 2. _____

   Title:
   Mailing Address: _____ _____

   Phone Numbers: (603)_____ (603)_____
   Fax Number: (603)_____ (603)_____
   E-mail address: _____ _____

4. **Location of the Project** :
   Describe as precisely as possible the Project Location:

. **Required Maps*:*** *Indicate clearly the project area on each 8.5" x 11"copy of the maps.*
   Local General Highway Map attached: ___
   Flood Insurance Rate Map with panel number attached: ___
   Topographic Map attached: ___

5. Problem Statement (What is happening that is causing the damage at the site?)

6. Project Objective (What is the goal of your proposed solution?)

7. Analysis of Alternative Solutions (different ways to stop the damage):

Alternative Solution (Brief title and description)	**Strengths**	**Weaknesses**
1		
2.		
3.		
4. No Action		

8. Selection of the Preferred Alternative:

Preferred alternative:

Justification:

9. Statement of Damages per Event:

Damage narrative attached: _____
Picture(s) enclosed:_____
Itemized list of damages:

Date of Damage	Type	Costs of Labor	Costs of Materials	Days of Lost Use of Road	Ave. Amt. Daily Traffic	Miles & hours of Detour	Days of Lost Use of Buildings	Cost of Lost Business

10. Project Work Schedule: Include potential problems, e.g. seasonal limitations.

Task Description	**Days to Complete**

11. Itemized Costs for Preferred Alternative

Item	Unit Qty.	Unit of Measure	Unit Cost		Cost

Estimate of Total Project Cost _____

Itemized list of Benefits

Mo/Year	Description of Damages	Cost

Total Damages Recorded _____

Benefit Cost Ratio: _____

12. Applicant's Matching Funds:

Applicant Funds 25%	Item Name	Unit Qty.	Unit of Measure	Unit Cost	Cost Est.
In-Kind (Type) Other (Type)					

A. Total Project Costs $ _____
B. FEMA funds (75% of Total Cost (Line A)) $ _____
C. Matching funds (25% of Total Cost (Line A)) $ _____

Applicant share:

1.Cash $ _____
2.In-kind Services $ _____
3. Other $ _____

Note: Sum of lines 1 -3 should equal line C.

13. Signature of Authorizing Official

Name: _____ Title: _____

14. Authorization:

I certify that the information presented in this Hazard Mitigation Grant Program project application is valid to the best of my knowledge.

Authorized Signature _____

Date _____

15. Technical Confirmation:

Has the hydrology/hydraulics/structural design of this project been endorsed by the local Highway District Engineer, local Stream Alteration Engineer, a Consulting Engineer or other Technical Experts: ____

Supporting letter(s) enclosed: ____

 Appendix III.

HMGP Minimum Criteria Checklist

Subgrantee: _____ ***Project Name:*** _____

Minimum HMGP Project Criteria

(as per CFR 44 Sec 206.433 (b))

	N/A	Unk	Yes	No
1. Does the Applicant have a FEMA approved Hazard Mitigation Plan	___	___	___	___
2. Is the Application timely filed?	___	___	___	___
3. Is the Application complete?	___	___	___	___
4. Does the proposal conform with the State 409 Plan?	___	___	___	___
5. Is there a beneficial impact on the declared area?	___	___	___	___
6. Is the Application in conformance with?:				
a. 44 CFR Pt. 9, The Local Floodplain Management Ordinance? (If Applicant is a community, is it a member in good standing in the NFIP?)	___	___	___	___
b. 44 CFR Pt. 10, Environmental Considerations? (Appendix V.)	___	___	___	___
c. Wetlands and Shoreline Protection?	___	___	___	___
6. Does the Project solve a problem independently or is it a functional portion of one which will be completed?	___	___	___	___
7. Is the measure cost effective? (See section 12)	___	___	___	___
8. Will the measure substantially reduce the risk of loss or suffering resulting from a major disaster?	___	___	___	___
9. Does the measure address a repetitive problem or a problem that poses a significant risk to public health and safety?	___	___	___	___
10. 1:1 cost/benefit in direct damages or subsequent negative impacts to the area from future disasters (net present value)?	___	___	___	___

Page 2 of 2

	N/A	Unk	Yes	No
11. Has the measure been determined to be the most practical? (Has consideration been given to alternatives?)	___	___	___	___
12. Does the measure represent a long term solution?	___	___	___	___
13. Does the proposal consider long term changes to the area and manageable future maintenance and modification requirements?	___	___	___	___

Minimum HMGP Project Criteria (No.s 14 –16: as per CFR 44 Sec. 206.435 (b))

14. Is the project consistent with the Local Hazard Mitigation Plan?	___	___	___	___
15. If the measure is not taken, is there an imminent threat of severe impact (i.e. Potential: loss of life or essential services, damage to critical facilities, or economic hardship on the community).	___	___	___	___
16. Is this the measure which will have the greatest impact?	___	___	___	___
17. Is funding for this measure available through and other known source? **(See CFR 44 Sec. 206.434 (f)).**	___	___	___	___
18. Does the proposal offer the assurance(s) that the measure will be performed in accordance with all applicable Federal, State and Local codes specifications and standards? **(See CFR 44 Sec. 206.407 (a)).**	___	___	___	___

Applicants should be advised that a definitive "No" answer to any question means that the project as presently considered is not a qualifying HMGP project.

Applicants should feel free to contact:

Michael J. Poirier, Hazard Mitigation Officer
NHBEM, 33 Hazen Drive, Concord, NH 03305
Voice (603) 271-2231 or (800) 852-3792 Fax (603) 225-7341 TDD (603) 271-2254

with any questions as to project eligibility.

State of New Hampshire
Hazard Mitigation Grant Program
Impact Questionnaire

This questionnaire is designed to aid with the screening of the project alternatives for feasibility. These questions cover many categories and may be answered with a simple **yes**, **no** or **not applicable**. This questionnaire is for your benefit only and may be included in the application at your discretion. It is for screening purposes only. Questions may be answered by checking the appropriate column. More detail may be required in the application explaining the response to a particular question depending on how you answered the questions. The questionnaire is divided into four sections: Environmental considerations, Physical limitations, Effectiveness, and Costs. If an alternative does not seem to be feasible after completing one of the sections, there is no need to continue because this alternative is presumably not feasible.

Alternative # 1 :

Install a larger culvert to improve the flow of the brook.

_____

_____

Environmental Considerations:

a. Land Use and Socio-economic Impacts. **Will this alternative:**

		Yes	No	N/A
1.	Conflict with the existing land use of the area?	_____	_____	_____
2.	Conflict with the zoning of the area?	_____	_____	_____
3.	Result in the relocation of any structures?	_____	_____	_____
4.	Have significant impact on the economic activities such as change in access to businesses or attractions?	_____	_____	_____
5.	Have significant impact on any recreation areas or activities?	_____	_____	_____
6.	Affect any prime or unique farmlands?	_____	_____	_____
7.	Be located in a known Special Flood Hazard Area (100 year floodplain)?	_____	_____	_____
8.	Cause significant impacts on the flow characteristics of a floodplain?	_____	_____	_____

b. Water Quality and Resources. **Will this alternative:**

		Yes	No	N/A
1.	Have a significant impact on water quality?	_____	_____	_____
2.	Require dredging or significant stream alteration, including construction in any wetlands?	_____	_____	_____
3.	Require any modification of a stream bed or bank (i.e. - rip rap, retaining walls, etc.)?	_____	_____	_____
4.	Affect any declared wild and scenic river or any river being studied for inclusion as a wild and scenic river? (i.e., in NH the Lamprey and Wildcat)	_____	_____	_____

For more information on Wild and Scenic Rivers consult: http://www.nps.gov/rivers/wildriverslist.html#nh

c. Natural Resources. **Will this alternative:**

		Yes	No	N/A
1.	Require significant removal of any marine, aquatic, or terrestrial vegetation?	_____	_____	_____
2.	Involve construction in marshland or wetland areas or will the project adversely affect any wetland areas?	_____	_____	_____
3.	Affect any known rare or endangered species, critical habitats, or spawning grounds within the range of the project area?	_____	_____	_____
4.	Be located near a wildlife refuge or conservation area?	_____	_____	_____

d. Archeological and Historic Resources: **Will this alternative:**

		Yes	No	N/A
1.	Affect any area of archeological significance? If so, contact the State Archeological Preservation Officer for determination.	_____	_____	_____
2.	Affect any area of historical significance? If so, contact the State Historical Preservation Officer for determination.	_____	_____	_____
3.	Affect any area of cultural significance? If so contact the State Cultural Preservation Officer for determination.	_____	_____	_____

If all of the answers to the above questions are "No", then this alternative may qualify for a Finding Of No Significant Impact (FONSI) or a CATegorical EXclusion (CATEX). If some of the answers are "Yes", then greater detail into that topic may be needed to determine if the project may qualify for a FONSI or CATEX.
If this alternative receives mostly "Yes" answers, then an Environmental Assessment (EA) or Environmental Impact Statement (EIS) may be required. If the alternative requires an EA, then the project approval will require a longer amount of time. A project requiring an EIS is not as likely to be funded.

If the alternative may qualify for a FONSI or CATEX or EA, then continue to answer the following questions.

Natural Barriers: Will this alternative:

		Yes	No	N/A
1.	Have major construction difficulties?	_____	_____	_____
2.	Be constrained by significant spatial limitations (i.e. Deep, narrow valley, proximity of existing structures, etc.)?	_____	_____	_____
3.	Involve any significant bedrock alteration such as blasting?	_____	_____	_____
4.	Involve stabilization of steep high slopes?	_____	_____	_____

If the answers for this section of questions were mostly "Yes", then this alternative may not be feasible. The questions which were answered "Yes" may require a descriptive narrative in the application.

If the answers were mostly "No", then continue to answer the following questions.

Effectiveness: Will this alternative:

		Yes	No	N/A
1.	Demonstrate significant beneficial impact(s) on the declared disaster area?	____	_____	_____
2.	Independently solve the stated problem, or constitute a functional portion or engineering design of a solution where there is assurance that the project as a whole will be completed?	_____	_____	_____
3.	Demonstrate substantial reduction of the risk of possible future loss of life, damage, hardship, or loss and suffering that would result from future disasters?	_____	_____	_____
4.	Reduce the level of damage vulnerability in existing structures and developed property?	_____	_____	_____
5.	Reduce the number of vulnerable structures through acquisition, relocation, or retrofitting?	_____	_____	_____
6.	Prevent inappropriate future development in areas that are vulnerable to the hazard?	_____	_____	_____
7.	Provide a long term mitigation solution in locations that experience repetitive damage?	_____	_____	_____
8.	Reduce or eliminate future public and private loss or damage (i.e. - water damage, lost property, deposition of debris and silt, loss of rip rap)?	_____	_____	_____
9.	Reduce or eliminate a potential public health risk (i.e. - escaping oil, floating propane tanks, chemical releases, raw sewage release, etc.)?	_____	_____	_____
10.	Demonstrate affordable operation and future maintenance costs which the local jurisdiction is committed to supply?	_____	_____	_____
11.	Improve access by public, private and emergency vehicles?	_____	_____	_____
12.	Reduce or eliminate damage to publics services and utilities (i.e. - temporary loss of electric power, telephone, water, sewer, natural gas, etc.)?	_____	_____	_____
13.	Show development and implementation of state or local comprehensive programs, standards, and regulations that reduce future damage?	_____	_____	_____
14.	Address secondary damage issues such as landslides resulting from floods or urban fires?	_____	_____	_____
15.	Protect and restore wetlands?	_____	_____	_____
16.	Restore or protect natural resources, recreational areas, open space, or other environmental values?	_____	_____	_____
17.	Increase public awareness of the hazard(s), preventive measure(s), and emergency response(s) to the hazard(s)?	_____	_____	_____

If the answers for this section of questions were mostly "Yes", then this alternative is an effective solution and should be considered in more detail. Repeat the process for each alternative.

Project Costs: Will this alternative:

		Yes	No	N/A
1.	Require a large amount of comprehensive study?	_____	_____	_____
2.	Require extensive engineering and design?	_____	_____	_____
3.	Require any land acquisition?	_____	_____	_____
4.	Require a lengthy amount of time?	_____	_____	_____
5.	Require difficult construction?	_____	_____	_____
6.	Generate large labor forces?	_____	_____	_____
7.	Generate high equipment costs?	_____	_____	_____
8.	Require any additional staffing?	_____	_____	_____
9.	Require the use of a construction management firm?	_____	_____	_____
10.	Generate expensive transportation costs?	_____	_____	_____
11.	Require a large number of materials and supplies?	_____	_____	_____

If the answer to most of the above questions is "Yes", then this alternative may be considered too expensive and may not be feasible. If most answers were "No" or "Not Applicable", then this alternative is a feasible alternative and should be considered to be one of the possible project alternative.

HMGP PROJECT QUARTERLY PROGRESS REPORT

I. **Date of this Report: _____ / _____ / _____ For Quarter Ending: _____ / _____ Year _____**

II. **Applicant Organization (Sub-Grantee):**
_____

III. **Project Identification:**
Project Title:
_____

Disaster No: FEMA - _____ - DR - IRS Payee No.: _____
HMGP Application No.: _____ IPS No.: _____

IV. **Point of Contact (Sub-grantee's Agent):**
Name & Title:
_____
Address:
_____
_____

Telephone No.: (_____) _____ - _____ Fax No: (_____) _____ - _____

V. **Project Status:** ☐ On Schedule ☐ Suspended ☐ Delayed ☐ Cancelled ☐ Completed

Date of FEMA Project Approval: ____ / ____ / _____ Original Approved Completion Date:____ / ____ / _____
Actual Start Date: ____ / ____ / _____ Percent of Work Complete:_____

The applicant is requesting that an extension be granted for this HMGP project through ____ / ____ / _____ .
(Attach documentation to support this request)

A. Non-Construction Activities:

Task:	Action or Requirement:	Date Permit Submitted or Task Initiated:	% Complete (If Applicable):	Estimated Date of Completion of Task:	Date Awarded, Issued or Completed	Dependant on Task(s):
1.	SHPO Compliance					
2.	Engineering/Design					
3.	USACE Permit					
4.	DEC Permit					
5.	Local Floodplain Permit					
6.	Final Engineering / Design					
7.	Bidding Process Construction Contract					
8.	Awarded					
9.	Other (specify)					

B. Construction & Implementation Activities:

Task:	Major Activity	Date Started:	% Complete: (If Applicable)	Estimated Date of Completion:	Date Completed:	Dependant on Task(s):
1.						
2.						
3.						
4.						
5.						
6.						

C. Appraisal, Acceptance, Closing, Demolition (Acquisition Only)

Task:	Action	Date Started or Offered:	% Complete: (If Applicable)	Estimated Date of Completion:	Date Completed, Accepted, Awarded:	Dependant on Task(s):
1.	Appraisal					
2.	Acceptance					
3.	Closing					
4.	Demolition					
5.	Site Restoration					

Summary of Progress on Project from _____/_____/_____ through _____/_____/_____ (Attach Additional Sheets, if necessary):

_____
_____
_____
_____
_____
_____
_____

Problems Encountered:

_____
_____
_____
_____
_____
_____

Assistance Required:

_____
_____
_____
_____

VI. **Funding Status:** ☐ Unchanged ☐ Over runs ☐ Under runs

Funds Expended to Date: $_____ Anticipated Cost Overruns/Under runs: $_____
Payment Request this Quarter: $_____ Received: $_____

CERTIFICATION:
As the authorized applicant's representative, I certify that the information contained within this HMGP quarterly report accurately reflects the status of this mitigation project.

_____
Applicant's Representative - Title

VII. **Project Extension Authorization:**

Based upon our review of the supporting documentation, the requested project extension is justified. In accordance with FEMA's letter of approval, the State is granting an extension of this project through _____ / _____ / _____.

_____ _____
Signature Date

FEDERAL EMERGENCY MANAGEMENT AGENCY – Code of Federal Regulations

Subpart N--Hazard Mitigation Grant Program

Mitigation Grant Program

Source: 55 FR 35537, Aug. 30, 1990, unless otherwise noted.

Sec. 206.430 General.

This **subpart** provides guidance on the administration of hazard mitigation grants made under the provisions of section 404 of the Robert
T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C.
5170c, hereafter Stafford Act, or the Act.

[59 FR 24356, May 11, 1994]

Sec. 206.431 Definitions.

(a) Applicant means a State agency, local government, or eligible private nonprofit organization, as defined in **subpart** H of this part, submitting an application to the Governor's Authorized Representative for assistance under the Hazard Mitigation Grant Program.

(b) Application means the initial request for section 404 funding, as outlined in Sec. 206.436.

(c) Grant means an award of financial assistance. The total grant award shall not exceed ten percent of the estimated Federal assistance provided under section 406 of the Stafford Act for major disasters declared before June 10, 1993. For major disasters declared on or after June 10, 1993, the total grant award shall not exceed 15 percent of the total estimated Federal assistance (excluding any associated administrative costs) provided under sections 403, 406, 407, 408, 410, 411, 416, and 601 of the Stafford Act.

(d) Grantee means the government to which a grant is awarded and which is accountable for the use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designated in the grant award document. For purposes of this part, except as noted in Sec. 206.436(g)(1), the State is the grantee.

(e) Measure means any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term measure is used interchangeably with the term project in this part.

(f) Project means any mitigation measure, project, or action proposed to reduce risk of future damage, hardship, loss or suffering from disasters. The term project is used interchangeably with the term measure in this part.

(g) Sectiom 409 Hazard Mitigation Plan is the hazard mitigation plan required under section 409 of the Act as a condition of receiving Federal disaster assistance under Public Law 93-288, as amended. This hazard mitigation plan is the basis for the identification of measures to be funded under the Hazard Mitigation Grant Program.

(h) State Administrative Plan for the Hazard Mitigation Grant Program means the plan developed by the State to describe the procedures for administration of the Hazard Mitigation Grant Program.

(i) Subgrant means an award of financial assistance under a grant by a grantee to an eligible subgrantee.

(j) Subgrantee means the government or other legal entity to which a subgrant is awarded and which is accountable to the grantee for the use of the funds provided. Subgrantees can be a State agency, local government, private non-profit organization, or Indian tribe as outlined in Sec. 206.434.

(k) Supplement means an amendment to the hazard mitigation application to add or modify one or more mitigation measures.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

Sec. 206.432 Federal grant assistance.

(a) General. This section describes the extent of Federal funding available under the State's grant, as well as limitations and special procedures applicable to each.

(b) Limitations on Federal expenditures. The total of Federal assistance under section 404 shall not exceed 15 percent of the total estimated Federal assistance (excluding any associated administrative costs) provided under sections 403, 406, 407, 408, 410, 411, 416, and 601 of the Stafford Act. The estimate of Federal assistance under these sections shall be based on the Regional Director's estimate of all Damage Survey Reports, actual grants, mission assignments, and associated expenses.

(c) Cost sharing. All mitigation measures approved under the State's grant will be subject to the cost sharing provisions established in the FEMA-State Agreement. FEMA may contribute up to 75 percent of the cost of measures approved for funding under the Hazard Mitigation Grant Program for major disasters declared on or after June 10, 1993. FEMA may contribute up to 50 percent of the cost of measures approved for funding under the Hazard Mitigation Grant Program for major disasters declared before June 10, 1993. The nonFederal share may exceed the Federal share. FEMA will not contribute to costs above the Federally approved estimate.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

Sec. 206.433 State responsibilities.

(a) Grantee. The State will be the Grantee to which funds are awarded and will be accountable for the use of those funds. There may be subgrantees within the State government.

(b) Priorities. The State will determine priorities for funding. This determination must be made in conformance with Sec. 206.435.

(c) Hazard Mitigation Officer. The State must appoint a Hazard Mitigation Officer, as required under 44 CFR part 206 **subpart M**, who serves as the responsible individual for all matters related to the Hazard Mitigation Grant Program.

(d) Administrative plan. The State must have an approved administrative plan for the Hazard Mitigation Grant Program in conformance with Sec. 206.437.

Sec. 206.434 Eligibility.

(a) Applicants. The following are eligible to apply for the Hazard Mitigation Program Grant:

(1) State and local governments;

(2) Private non-profit organizations or institutions that own or operate a private non-profit facility as defined in Sec. 206.221(e);

(3) Indian tribes or authorized tribal organizations and Alaska Native villages or organizations, but not Alaska native corporations with ownership vested in private ndividuals.

(b) Minimum project criteria. To be eligible for the Hazard Mitigation Grant Program, a project must:

(1) Be in conformance with the hazard mitigation plan developed as a requirement of section 409;
(2) Have a beneficial impact upon the designated disaster area, whether or not located in the designated area;
(3) Be in conformance with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44 CFR part 10, Environmental Considerations;

[[Page 463]]

(4) Solve a problem independently or constitute a functional portion of a solution where there is assurance that the project as a whole will be completed. Projects that merely identify or analyze hazards or problems are not eligible;
(5) Be cost-effective and substantially reduce the risk of future damage, hardship, loss, or suffering resulting from a major disaster. The grantee must demonstrate this by documenting that the project;
(i) Addresses a problem that has been repetitive, or a problem that poses a significant risk to public health and safety if left unsolved,
(ii) Will not cost more than the anticipated value of the reduction in both direct damages and subsequent negative impacts to the area if future disasters were to occur. Both costs and benefits will be computed on a net present value basis,
(iii) Has been determined to be the most practical, effective, and environmentally sound alternative after consideration of a range of options,
(iv) Contributes, to the extent practicable, to a long-term solution to the problem it is intended to address,
(v) Considers long-term changes to the areas and entities it protects, and has manageable future maintenance and modification requirements.
(c) Types of projects. Projects may be of any nature that will result in protection to public or private property. Eligible projects include, but are not limited to:
(1) Structural hazard control or protection projects;
(2) Construction activities that will result in protection from hazards;
(3) Retrofitting of facilities;
(4) Property acquisition or relocation, as defined in Sec. 206.434(d);
(5) Development of State or local mitigation standards;
(6) Development of comprehensive hazard mitigation programs with implementation as an essential component;
(7) Development or improvement of warning systems.
(d) Property acquisition and relocation requirements. A project involving property acquisition or the relocation of structures and individuals is eligible for assistance only if the applicant enters an agreement with the FEMA Regional Director that provides assurances that:
(1) The following restrictive covenants shall be conveyed in the deed to any property acquired, accepted, or from which structures are removed (hereafter called in section (d) the property):
(i) The property shall be dedicated and maintained in perpetuity for uses compatible with open space, recreational, or wetlands management practices; and
(ii) No new structure(s) will be built on the property except as indicated below:
(A) A public facility that is open on all sides and functionally related to a designated open space or recreational use;
(B) A rest room; or
(C) A structure that is compatible with open space, recreational, or wetlands management usage and proper floodplain management policies and practices, which the Director approves in writing before the construction of the structure begins.
(iii) After completion of the project, no application for additional disaster assistance will be made for any purpose with respect to the property to any Federal entity or source, and no Federal entity or source will provide such assistance.
(2) In general, allowable open space, recreational, and wetland management uses include parks for outdoor recreational activities, nature reserves, cultivation, grazing, camping (except where adequate warning time is not available to allow evacuation), temporary storage in the open of wheeled vehicles which are easily movable (except mobile homes), unimproved, previous parking lots, and buffer zones.
(3) Any structures built on the property according to paragraph (d)(1) of this section, shall be floodproofed or elevated to the Base Flood Elevation plus one foot of freeboard.
(e) Inapplicability of the Uniform Relocation Act. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970
does not apply to real property acquisition projects which meet the criteria identified below:
(1) The project provides for the purchase of property damaged by the major, widespread flooding in the States of Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin during 1993;
(2) It provides for such purchase solely as a result of such flooding;
(3) It is carried out by or through a State or unit of general local government;
(4) The purchasing agency (grantee or subgrantee) notifies all potential property owners in writing that it will not use its power of eminent domain to acquire the properties if a voluntary agreement is not reached;
(5) The project is being assisted with amounts made available for:
(i) Disaster relief by the Federal Emergency Management Agency; or
(ii) By other Federal financial assistance programs.
(f) Duplication of programs. Section 404 funds cannot be used as a substitute or replacement to fund projects or programs that are available under other Federal authorities, except under limited circumstances in which there are extraordinary threats to lives, public health or safety or improved property.
(g) Packaging of programs. Section 404 funds may be packaged or used in combination with other Federal, State, local, or private funding sources when appropriate to develop a comprehensive mitigation solution, though section 404 funds cannot be used as a match for other Federal funds.

[55 FR 35537, Aug. 30, 1990, as amended at 59 FR 24356, May 11, 1994]

Sec. 206.435 Project identification and selection criteria.

(a) Identification. It is the State's responsibility to identify and select hazard mitigation projects. All funded projects must be consistent with the State's section 409 hazard mitigation plan. Hazard Mitigation projects may be identified through the section 409 planning process, or through any other appropriate means. Procedures for the identification, funding, and management of mitigation projects shall be included in the State's administrative plan.
(b) Selection. The State will establish procedures and priorities for the selection of mitigation measures. At a minimum the criteria must be consistent with the criteria

stated in Sec. 206.434(b) and include:

(1) Measures that best fit within an overall plan for development and/or hazard mitigation in the community, disaster area, or State;

(2) Measures that, if not taken, will have a severe detrimental impact on the applicant, such as potential loss of life, loss of essential services, damage to critical facilities, or conomic hardship on the community;

(3) Measures that have the greatest potential impact on reducing future disaster losses;

(c) Other considerations. In addition to the selection criteria noted above, consideration should be given to measures that are designed to accomplish multiple objectives including damage reduction, environmental enhancement, and economic recovery, when appropriate.

Sec. 206.436 Application procedures.

(a) General. This section describes the procedures to be used by the State in submitting an application for funding for hazard mitigation grants. Under the Hazard Mitigation Grant Program the State is the grantee and is responsible for processing subgrants to applicants in accordance with 44 CFR parts 13 and 206.

(b) Governor's Authorized Representative. The Governor's Authorized Representative serves as the grant administrator for all funds provided under the Hazard Mitigation Grant Program. The Governor's Authorized Representative's responsibilities as they pertain to procedures outlined in this section include providing technical advice and assistance to eligible subgrantees, and ensuring that all potential applicants are aware of assistance available and submission of those documents necessary for grant award.

(c) Letter of intent to participate. Within 60 days of the disaster declaration, the State (Governor's Authorized Representative) will notify FEMA in writing of its intent to participate or not participate in the Hazard Mitigation Grant Program. States are also encouraged to submit a hazard mitigation application within this timeframe so that immediate post-disaster opportunities for hazard mitigation are not lost.

(d) Hazard mitigation application. Upon identification of mitigation measures, the State (Governor's Authorized Representative) will submit its section 404 Hazard Mitigation Application to the FEMA Regional Director. The Application will identify one or more mitigation measures for which funding is requested. The Application must include a Standard Form (SF) 424, Application for Federal Assistance, SF 424D, Assurances for Construction Programs if appropriate, and a narrative statement. The narrative statement will contain any pertinent project management information not included in the State's administrative plan for Hazard Mitigation. The narrative statement will also serve to identify the specific mitigation meausres for which funding is requested. Information required for each mitigation measure shall include the following:

(1) Name of the subgrantee, if any;

(2) State or local contact for the measure;

(3) Location of the project;

(4) Description of the measure;

(5) Cost estimate for the measure;

(6) Analysis of the measure's cost-effectiveness and substantial risk reduction, consistent with Sec. 206.434(b);

(7) Work schedule;

(8) Justification for selection;

(9) Alternatives considered;

(10) Environmental information consistent with 44 CFR part 9, Floodplain Management and Protection of Wetlands, and 44 CFR part 10, Environmental Considerations; (e) Supplements. The application may be amended as the State and subgrantees develop the section 409 hazard mitigation plan and continue to identify measures to be funded. Amendments to add or modify measures are made by submitting supplements to the application. All supplements to the application for the purpose of identifying new mitigation measures must be submitted to FEMA within 90 days of FEMA approval of the section 409 plan. The Regional Director may grant up to a 90 day extension to this deadline upon receipt of written justification from the State that the extension is warranted. The supplements shall contain all necessary information on the measure as described in paragraph (d) of this section.

(f) FEMA approval. The application and supplement(s) will be submitted to the FEMA Regional Director for approval. FEMA has final approval authority for funding of all projects.

(g) Exceptions. The following are exceptions to the above outlined procedures and time limitations.

(1) Grant applications. An Indian tribe or authorized tribal organization may submit a SF 424 directly to the Regional Director when assistance is authorized under the Act and a State is unable to assume the responsibilities prescribed in these regulations.

(2) Time limitations. The time limitation shown in paragraph (c) of this section may be extended by the Regional Director when justified and requested in writing by the Governor's Authorized Representative.

(Approved by the Office of Management and Budget under OMB Control Number 3067-0207)

Sec. 206.437 State administrative plan.

(a) General. The State shall develop a plan for the administration of the Hazard Mitigation Grant Program.

(b) Minimum criteria. At a minimum, the State administrative plan must include the items listed below:

(1) Designation of the State agency will have responsibility for program administration;

(2) Identification of the State Hazard Mitigation Officer responsible for all matters related to the Hazard Mitigation Grant Program.

(3) Determination of staffing requirements and sources of staff necessary for administration of the program;

(4) Establishment of procedures to:

(i) Identify and notify potential applicants (subgrantees) of the availability of the program;

(ii) Ensure that potential applicants are provided information on the application process, program eligibility and key deadlines;

(iii) Determine applicant eligibility;

(iv) Conduct environmental and floodplain management reviews;

(v) Establish priorities for selection of mitigation projects;

(vi) Process requests for advances of funds and reimbursement;

(vii) Monitor and evaluate the progress and completion of the selected projects;

(viii) Review and approve cost overruns;

(ix) Process appeals;

(x) Provide technical assistance as required to subgrantee(s);

(xi) Comply with the administrative requirements of 44 CFR parts 13 and 206;

(xii) Comply with audit requirements of 44 CFR part 14;

(xiii) Provide quarterly progress reports to the Regional Director on approved projects.

(c) Format. The administrative plan is intended to be a brief but substantive plan documenting the State's process for the administration of the Hazard Mitigation Grant Program and management of the section 404 funds. This administrative plan should become a part of the State's overall emergency response or operations plan as a separate annex or chapter.

(d) Approval. The State must submit the administrative plan to the Regional Director for approval. Following each major disaster declaration, the State shall prepare any updates, amendments, or plan revisions required to meet current policy guidance or changes in the administration of the Hazard Mitigation Grant Program. Funds shall not be awarded until the State administrative plan is approved by the FEMA Regional Director.

(Approved by the Office of Management and Budget under OMB control number 3067-0208)

[55 FR 35537, Aug. 30, 1990, as amended at 55 FR 52172, Dec. 20, 1990]

Sec. 206.438 Project management.

(a) General. The State serving as grantee has primary responsibility for project management and accountability of funds as indicated in 44 CFR part 13. The State is responsible for ensuring that subgrantees meet all program and administrative requirements.

(b) Cost overruns. During the execution of work on an approved mitigation measure the Governor's Authorized Representative may find that actual project costs are exceeding the approved estimates. Cost overruns which can be met without additional Federal funds, or which can be met by offsetting cost underruns on other projects, need not be submitted to the Regional Director for approval, so long as the full scope of work on all affected projects can still be met. For cost overruns which exceed Federal obligated funds and which require additional Federal funds, the Governor's Authorized Representative shall evaluate each cost overrun and shall submit a request with a recommendation to the Regional Director for a determination. The applicant's justification for additional costs and other pertinent material shall accompany the request. The Regional Director shall notify the Governor's Authorized Representative in writing of the determination and process a supplement, if necessary. All requests that are not justified shall be denied by the Governor's Authorized Representative. In no case will the total amount obligated to the State exceed the funding limits set forth in Sec. 206.432(b). Any such problems or circumstances affecting project costs shall be identified through the quarterly progress reports required in paragraph (c) of this section.

(c) Progress reports. The grantee shall submit a quarterly progress report to FEMA indicating the status and completion date for each measure funded. Any problems or circumstances affecting completion dates, scope of work, or project costs which are expected to result in noncompliance with the approved grant conditions shall be described in the report.

(d) Payment of claims. The Governor's Authorized Representative shall make a claim to the Regional Director for reimbursement of allowable costs for each approved measure. In submitting such claims the Governor's Authorized Representative shall certify that reported costs were incurred in the performance of eligible work, that the approved work was completed and that the mitigation measure is in compliance with the provisions of the FEMA-State Agreement. The Regional Director shall determine the eligible amount of reimbursement for each claim and approve payment. If a mitigation measure is not completed, and there is not adequate justification for noncompletion, no Federal funding will be provided for that measure.

(e) Audit requirements. Uniform audit requirements as set forth in 44 CFR part 14 apply to all grant assistance provided under this **subpart**. FEMA may elect to conduct a Federal audit on the disaster assistance grant or on any of the subgrants.

Sec. 206.439 Allowable costs.

(a) General. General policies for determining allowable costs are established in 44 CFR 13.22. Exceptions to those policies as allowed in 44 CFR 13.4 and 13.6 are explained below.

(b) Eligible direct costs. The eligible direct costs for administration and management of the program are divided into the following two categories.

(1) Statutory administrative costs--(i) Grantee. Pursuant to 406(f)(2) of the Stafford Act, an allowance will be provided to the State to cover the extraordinary costs incurred by the State for preparation of applications, quarterly reports, final audits, and related field inspections by State employees, including overtime pay and per diem and travel expenses, but not including regular time for such employees. The allowance will be based on the following percentages of the total amount of assistance provided (Federal share) for all subgrantees in the State under section 404 of the Stafford Act:

(A) For the first $100,000 of total assistance provided (Federal share), three percent of such assistance.

(B) For the next $900,000, two percent of such assistance.

(C) For the next $4,000,000, one percent of such assistance.

(D) For assistance over $5,000,000, one-half percent of such assistance.

(ii) Subgrantee. Pursuant to section 406(f)(1) of the Stafford Act, necessary costs of requesting, obtaining, and administering Federal disaster assistance subgrants will be covered by an allowance which is based on the following percentages of total net eligible costs under section 404 of the Stafford Act, for an individual applicant (applicants in this context include State agencies):

(A) For the first $100,000 of net eligible costs, three percent of such costs.

(B) For the next $900,000, two percent of such costs.

(C) For the next $4,000,000, one percent of such costs.

(D) For those costs over $5,000,000, one-half percent of such costs.

(2) State management costs--(i) Grantee. Except for the items listed in paragraph (b)(1)(i) of this section, other administration costs shall be paid in accordance with 44 CFR 13.22. Costs of State personnel (regular time salaries only) assigned to administer the Hazard Mitigation Grant Program may be eligible when approved by the Regional Director. Such costs shall be shared in accordance with the cost share provisions of section 404 of the Act. For grantee administrative costs in the Disaster Field Office, the State

shall submit a plan for the staffing of the Disaster Field Office within 5 days of the opening of the office. This staffing plan shall be in accordance with the administrative plan requirements of Sec. 206.437. After the close of the Disaster Field Office, costs of State personnel (regular time salaries only) for continuing management of the hazard mitigation grants may be eligible when approved in advance by the Regional Director. The State shall submit a plan for such staffing in advance of the requirement.

(c) Eligible indirect costs--(1) Grantee. Indirect costs of administering the disaster program are eligible in accordance with the provisions of 44 CFR part 13 and OMB Circular A-87.

(2) Subgrantee. No indirect costs of a subgrantee are separately eligible because the percentage allowance in paragraph (b)(1)(ii) of this section necessary costs of requesting, obtaining and administering Federal assistance.

Sec. 206.440 Appeals.

An eligible applicant, subgrantee, or grantee may appeal any determination previously made related to an application for or the provision of Federal assistance according to the procedures below.

(a) Format and Content. The applicant or subgrantee will make the appeal in writing through the grantee to the Regional Director. The grantee shall review and evaluate all subgrantee appeals before submission to the Regional Director. The grantee may make grantee-related appeals to the Regional Director. The appeal shall contain documented justification supporting the appellant's position, specifying the monetary figure in dispute and the provisions in Federal law, regulation, or policy with which the appellant believes the initial action was inconsistent..

(b) Levels of Appeal. (1) The Regional Director will consider first appeals for hazard mitigation grant program-related decisions under subparts **M** and N of this part.

(2) The Associate Director/Executive Associate Director for Mitigation will consider appeals of the Regional Director's decision on any first appeal under paragraph (b)(1) of this section.

(c) Time Limits. (1) Appellants must make appeals within 60 days after receipt of a notice of the action that is being appealed.

(2) The grantee will review and forward appeals from an applicant or subgrantee, with a written recommendation, to the Regional Director within 60 days of receipt.

(3) Within 90 days following receipt of an appeal, the Regional Director (for first appeals) or Associate Director/Executive Associate Director (for second appeals) will notify the grantee in writing of the disposition of the appeal or of the need for additional information. A request by the Regional Director or Associate Director/Executive Associate Director for additional information will include a date by which the information must be provided. Within 90 days following the receipt of the requested additional information or following expiration of the period for providing the information, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal. If the decision is to grant the appeal, the Regional Director will take appropriate implementing action.

(d) Technical Advice. In appeals involving highly technical issues, the Regional Director or Associate Director/Executive Associate Director may, at his or her discretion, submit the appeal to an independent scientific or technical person or group having expertise in the subject matter of the appeal for advice or recommendation. The period for this technical review may be in addition to other allotted time periods. Within 90 days of receipt of the report, the Regional Director or Associate Director/Executive Associate Director will notify the grantee in writing of the disposition of the appeal.

(e) Transition. (1) This rule is effective for all appeals pending on and appeals from decisions issued on or after May 8, 1998, except as provided in paragraph (e)(2) of this section.

(2) Appeals pending from a decision of an Associate Director./ Executive Associate Director before May 8, 1998 may be appealed to the Director in accordance with 44 CFR 206.440 as it existed before May 8, 1998.

(3) The decision of the FEMA official at the next higher appeal level shall be the final administrative decision of FEMA.

[63 FR 17111, Apr. 8, 1998]

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ADA	Americans with Disabilities Act
B/C	Benefit to Cost Ratio
BIA	U.S. Dept. of the Interior, Bureau of Indian Affairs
CDBG	Community Development Block Grant
CEO	Code Enforcement Officer
CFR	Code of Federal Regulations
CRREL	Cold Regions Research and Engineering Laboratory
CRS	Community Rating Service
CZMA	Coastal Zone Management Act
DPIG	Disaster Preparedness Improvement Grant
DPW	Department of Public Works
EA	(NEPA) Environmental Assessment
EIS	(NEPA) Environmental Impact Statement
EOC	Emergency Operations Center
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMAP	(FMA) Flood Mitigation Assistance Program
FONSI	(NEPA) Finding of No Significant Impact

GAR	Governor's Authorized Representative
GIS	Geographical Information System
HMGP	Hazard Mitigation Grant Program
HUD	U.S. Dept. of Housing and Urban Development
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHOEM	New Hampshire Office of Emergency Management
NOI	Notice of Interest
NWS	National Weather Service
POC	Point of Contact
RC&D	Resource Conservation and Development Council
RSA	(NH) Revised Statutes Annotated
SFHA	Special Flood Hazard Area
SHMO	State Hazard Mitigation Officer
TDD	Telecommunications Device for the Deaf
USDA	United States Department of Agriculture
USGS	Unites States Geological Survey

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